

**Rhode Island State Planning Council
Draft Minutes of September 15, 2011 Meeting**

Thursday, September 15, 2011

William E. Powers Building
Conference Room A
One Capitol Hill, Providence, RI

I. ATTENDANCE

Members Present

Mr. Brian Daniels, Vice Chair	Director, Governor's Policy Office
Mr. Kevin Flynn, Secretary	Associate Director, Division of Planning
Ms. Jeanne Boyle	RI LOCAT, President's Designee
Ms. Sharon Conard-Wells	West Elmwood Housing Development Corporation
Mr. Thomas Deller	Providence Department of Planning & Development
Mr. Wayne Hannon	Representing Mr. Thomas Mullaney, RI DOA, Budget Office
Mr. L. Vincent Murray	RI LOCAT, Government Official Representative
Ms. Anna Prager	Public Member
Mr. William Sequino	Public Member
Mr. Peder Schaefer	Representing Mr. Dan Beardsley, RI League of Cities and Towns (RI LOCAT)
Mr. Henry Sherlock	Representing Mr. Stephen Cardi, Cardi Corporation
Mr. Bob Shawver	Representing Mr. M. Lewis, Governor's Designee
Mr. John Trevor	Environmental Advocate
Ms. Janet White-Raymond	Public Member

Members Absent

Ms. Jeanne Cola	Chair, RI Housing Resources Commission
Mr. Richard Licht	Director, RI DOA

Guests

Mr. Eric Busch	Hope & Main
Ms. Ann L. Clarke	Rhode Island Airport Corporation
Mr. Peter Dennehy	Rhode Island Department of Administration
Mr. William DePasquale	Planning Director, City of Warwick
Mr. Kevin Dillon	Rhode Island Airport Corporation
Mr. Peter Frazier	Rhode Island Airport Corporation
Ms. Lynne Harrington	Citizen of the Greenwich Bay Watershed Group
Mr. Michael Hogan	State of Rhode Island House Policy
Mr. Richard Langseth	Citizen & Executive Director of the Greenwich Bay Watershed Group
Ms. Lisa Raiola	Hope & Main
Mr. Sam Shamoon	Citizen

Staff – Division of Planning

Mr. Robert Griffith	Chief, Office of Strategic Planning and Economic Development
Ms. Nancy Hess	Supervising Planner
Mr. Kevin Nelson	Supervising Planner
Mr. Jared L. Rhodes, II	Chief, Statewide Planning Program
Ms. Karen Scott	Assistant Chief, Statewide Planning
Ms. Dawn Vittorioso	Executive Assistant, Division of Planning

II. AGENDA ITEMS

1. Call to Order

On September 15 2011 at 9:04 a.m. Mr. Daniels called the meeting to order

2. Approval of the August 18, 2011 Meeting Minutes

Mr. Sequino moved to approve the minutes of August 18, 2011 as presented. The motion was seconded by Ms. Prager. There was no further discussion and the motion passed unanimously.

3. Public Comment on Agenda Items

Mr. Langseth commented that the official Airport Systems Plan notice dated August 18, 2011 was circulated to Public Officials and that in his opinion the public was disregarded. He then added that the component contains Rhode Island Airport Corporation's financial information and therefore in his opinion, the public should have been notified and given additional opportunity to comment. Mr. Langseth stated that over the last five years, the general public has asked to comment and they were not given an opportunity to do so. Mr. Langseth asked the Council to use caution when voting and then noted that the revised draft should have been reviewed by the Technical Committee. Next, Mr. Langseth talked about the Final Environmental Impact Statement (EIS) section 1.2.1B purpose of need which includes financials and capacity of the State to afford the Plan. He said that the general public and the State Planning Council (SPC) need an additional opportunity to review the financial information as he feels that they conflict with Rhode Island Airport Corporation's (RIAC) internal auditor's financial information. Therefore, he asked that the SPC vote in opposition. Mr. Langseth also indicated that he asked the Attorney General to review the "situation". In addition, he said that the citizens of RI should not subject themselves to political posturing by RIAC. In conclusion, Mr. Langseth asked the SPC to defer the vote and suggested that they ask the Technical Committee to vote on holding another public hearing.

Next, Mr. DePasquale, Planning Director for the City of Warwick took an opportunity to thank the SPC and the Statewide Planning staff for their patience, understanding and consideration of the City of Warwick's concerns. He stated that he reviewed the staff recommendation that had been prepared, and although the City of Warwick retains their original concerns, they support the staff recommendations as presented. In concluding, Mr. DePasquale said that he believes that an equitable decision has been made and requested that the SPC consider the adopting the staff recommendations.

4. **State Guide Plan Element 640: Rhode Island Airport Systems Plan: Proposed adoption of the Draft Rhode Island Airport Systems Plan dated August 18, 2011 – for vote**

Mr. Rhodes noted that since last month's SPC meeting, Statewide Planning staff conveyed correspondence exchanged between the City of Warwick, the response from Rhode Island Airport Corporation (RIAC) and the recommendation from Statewide Planning staff to the Council. Mr. Rhodes then introduced RIAC's Executive Director, Mr. Kevin Dillon who stated that although RIAC continues to have concerns with the recommendations put forward by the City of Warwick and the Statewide Planning staff, they are willing to accept them; provided there are subtle changes that recognize the importance of revenue diversion. Mr. Dillon requested that the SPC clearly identify the initiatives that were made by the SPC as opposed to RIAC. He then said that the initiatives may constitute revenue diversion; therefore, he asked that other funding resources be identified.

In response, Mr. Daniels indicated that he had an opportunity to review the conflicting positions of the parties and put forward alternate language for the Council's review. This alternate language was distributed to all in attendance including the public. It read as follows:

Amend the Draft Airport System Plan dated August 18, 2011 by adding:

- a. A new strategy (R) to Goal 5 which reads as follows - *"The State Planning Council recommends that the State consider establishing a non-airport revenue based funding mechanism to assist in replacing low or*

moderate income housing units, as defined by R.I.G.L. 45-53, that may be lost as a result of airport expansion or noise related acquisition and removal.”

- b. A new Strategy (S) to Goal which reads as follows - *“The State Planning Council recommends that the State review the Airport Impact Aid Formula contained in Article 1 of the annual Budget Appropriations Act to determine if the applicable communities are being appropriately compensated for hosting the associated facilities.*
- c. And by adding a new Strategy (S) to Goal 6 which reads as follows - *“The State Planning Council encourages the Department of Environment Management, the Department of Health and the Attorney General, in making their recommendation as to whether to continue air quality monitoring as required by RIGL 1-7-9, to consider whether a different set of pollutants should be evaluated and to seek non-airport revenues to finance such future studies”.*

At this time, Mr. Daniels asked if anyone had any questions or comments. Mr. Sequino asked what would happen if non-airport revenues were unavailable. In response, Mr. Daniels echoed Mr. Dillon’s comment stating that non-airport revenues to finance future studies should be obtained through alternate funding structures. Mr. Flynn then acknowledged this but pointed out that the language does not limit consideration to only non-airport revenues should it be necessary.

Ms. Boyle questioned what state agency is being referred to in bullets a. and b. Mr. Flynn said that the original language specified the Economic Development Corporation (EDC) and that Staff did not feel this was the appropriate entity, which is why it is now more generalized.

Mr. Deller asked if low or moderate income housing as defined by State Law would be effected as a result of T.F. Green expansion. Mr. Flynn indicated that as far as he knew it wouldn’t. Mr. Deller then questioned why the language was even necessary. Mr. Rhodes responded by emphasizing that the language was seen as beneficial given that the Draft Plan is applicable to all of the State’s airports not just T.F. Green.

Mr. Sequino next asked if there are revenues generated within the Corporation that are not considered “airport revenues” and could be used for this purpose. Mr. Dillon said all revenues, which include parking, are considered airport revenues for revenue diversion purposes.

Ms. Prager commended the SPC for constructing the current language and the proposed amendment dated August 18, 2011. She then expressed her support for Mayor Avedisian’s attempt to reconcile differences between RIAC and the City of Warwick. Ms. Prager stated that she was disappointed in RIAC’s response to the City’s concerns and their unwillingness to accept the proposed changes. Lastly, she addressed the comment made by Mr. Langseth during the public comment period when he stated that the public did not have an opportunity to comment on the Plan. She reminded Mr. Langseth that the public had the opportunity to comment when the item was presented for public hearing. Mr. Rhodes concurred with Ms. Prager and said that the proposed draft was presented to the Technical Committee and had been the focus of a Public hearing which was held on May 4, 2011. Mr. Rhodes then took the opportunity to point out that the newly added financial information which came directly from the T.F. Green FEIS that Mr.

Langseth was now opposed to, was added in response to a request that Mr. Langseth himself made at the May 4, 2011 public hearing.

Mr. Murray echoed Ms. Prager's comments and then placed emphasis on proposed amendment "a" where it references the affordable housing issue and said that since Warwick has traditionally been a good resource for first-time home buyers; the potential loss of affordable housing is an important consideration. Mr. Daniels said the purpose of proposed amendment "a" was to provide a clear definition of what constitutes low and moderate affordable housing.

Mr. Schaefer asked Mr. Dillon to clarify the budget differences put forth earlier in the meeting by Mr. Langseth. In response, Mr. Dillon explained that the discrepancies reached in Mr. Langseth's assessment are the result of his inappropriate combination of projects, some of which part of the T.F. Green FEIS and some of which are not.

Ms. White-Raymond took a moment to recognize all the parties involved on the progress made since the last meeting. She then made a motion to approve the amendments put forward earlier in the meeting by Mr. Daniels. Mr. Sequino seconded the motion. The following items were discussed thereafter.

Under discussion, Mr. Deller referred to the revised amended language as being inconsistent with that used throughout the remainder of the Plan. He noted that as this is a SPC document "the State Planning Council recommends" language was unnecessary. In response, Mr. Daniels said that he recognizes that the language is not consistent but stressed that it was for clarity purposes and was proposed to ensure that the statement was not taken out of context.

Mr. Sequino requested to hear the City of Warwick's perspective on the amended language. Mr. DePasquale said that he is disappointed given the nexus between impacts by the airport and funding resources; however, in the spirit of cooperation, the City of Warwick was willing to go forward.

Ms. Boyle echoed Mr. Deller's earlier point regarding the amended language as being inconsistent. Mr. Murray asked Ms. Boyle if her concern was directed to the financial component or simply to the preference for using the "State Planning Council recommends". Both Mr. Deller and Ms. Boyle indicated that they were unsupportive of the "State Planning Council Recommends" language but were fine with the remainder.

As there was no further discussion, Mr. Daniels called for a roll-call vote on the pending motion to:

Amend the Draft Airport System Plan dated August 18, 2011 by adding:

- a. A new strategy (R) to Goal 5 which reads as follows - *"The State Planning Council recommends that the State consider establishing a non-airport revenue based funding mechanism to assist in replacing low or moderate income housing units, as defined by R.I.G.L. 45-53, that may be lost as a result of airport expansion or noise related acquisition and removal."*
- b. A new Strategy (S) to Goal which reads as follows - *"The State Planning Council recommends that the State review the Airport Impact Aid Formula contained in Article 1 of the annual Budget Appropriations"*

Act to determine if the applicable communities are being appropriately compensated for hosting the associated facilities.

- c. And by adding a new Strategy (S) to Goal 6 which reads as follows - *“The State Planning Council encourages the Department of Environment Management, the Department of Health and the Attorney General, in making their recommendation as to whether to continue air quality monitoring as required by RIGL 1-7-9, to consider whether a different set of pollutants should be evaluated and to seek non-airport revenues to finance such future studies”.*

The roll call votes were as follows: Mr. Trevor, Aye; Mr. Schaefer, Aye; Mr. Sequino, Aye; Ms. Prager, Aye; Ms. Boyle, Aye; Mr. Deller, Aye; Ms. White-Raymond, Aye; Mr. Sherlock, Aye; Mr. Murray, Aye; Ms. Conard-Wells, Aye; Mr. Hannon, Aye; Mr. Shawver, Aye; Mr. Flynn, Aye; and Mr. Daniels, Aye. As a result, the motion passes unanimously.

Next, Ms. White-Raymond motioned for the Council to adopt the Draft Airport System Plan Public Hearing Report dated August 18, 2011 as its own. Mr. Deller seconded the motion. Mr. Daniels called for a roll-call vote on the pending motion. The roll call votes were as follows: Mr. Trevor, Aye; Mr. Schaefer, Aye; Mr. Sequino, Aye; Ms. Prager, Aye; Ms. Boyle, Aye; Mr. Deller, Aye; Ms. White-Raymond, Aye; Mr. Sherlock, Aye; Mr. Murray, Aye; Ms. Conard-Wells, Aye; Mr. Hannon, Aye; Mr. Shawver, Aye; Mr. Flynn, Aye; and Mr. Daniels, Aye. The motion passed unanimously and as a result the State Planning Council adopted the Draft Airport System Plan Public Hearing Report dated August 18, 2011.

Mr. Daniels next requested that Mr. Rhodes read into the record proposed findings regarding the Airport Systems Plan. These proposed findings included the following:

1. There is a clear need to update current State Guide Plan Element 640 as it is now 27 years old and 7 years beyond its initial planning horizon. This extensive age also necessitated a complete repeal, rewrite and replacement of the element as opposed to a series of amendments thereto.
2. The Plan's Deferral to the T.F. Green Airport Improvement Program, National Environmental Policy Act, Environmental Impact Statement process ensures that a proper assessment of alternatives is undertaken in selecting preferred improvements that are not only effective and efficient but are also least burdensome to those affected.
3. The principal reasons for the document's adoption is the balance it strikes in planning for the future management of the State's airports in a manner that not only seeks to minimize impacts on host communities but also meets the goals of the State and the roles that the individual facilities play in the larger regional aviation system.
4. The reasons for overruling the considerations urged against adoption are as put forward in the Public Hearing Report's Public Comment Summary and Response.
5. The Revised Draft State Guide Plan Element 640 dated August 18, 2011 as amended has been produced in accordance with the General Laws of Rhode Island as well as the State Planning Council's Rules of Procedure.

Mr. Deller motioned to approve the proposed findings as read by Mr. Rhodes. Mr. Sequino seconded the motion. There was no discussion.

Mr. Daniels called for a roll-call vote on the pending motion. The roll call votes were as follows: Mr. Trevor, Aye; Mr. Schaefer, Aye; Mr. Sequino, Aye; Ms. Prager, Aye; Ms. Boyle, Aye; Mr. Deller, Aye; Ms. White-Raymond, Aye; Mr. Sherlock, Aye; Mr. Murray, Aye; Ms. Conard-Wells, Aye; Mr. Hannon, Aye; Mr. Shawver, Aye; Mr. Flynn, Aye; and Mr. Daniels, Aye. The motion adopting findings 1-5 was unanimously approved.

Mr. Daniels then called on Mr. Rhodes to present the final proposed action. Mr. Rhodes reported that the final proposed action was for the Council, based on previously adopted findings, to repeal the existing State Guide Plan Element 640 dated March 1984 as amended; and approve in its place the Draft State Guide Plan Element 640: the Rhode Island Airport Systems Plan, dated August 18, 2011 as amended. Ms. White-Raymond motioned to approve the final action as reported by Mr. Rhodes. Mr. Deller seconded the motion. There was no discussion.

Mr. Daniels called for a roll-call vote on the pending motion. The roll call votes were as follows: Mr. Trevor, Aye; Mr. Schaefer, Aye; Mr. Sequino, Aye; Ms. Prager, Aye; Ms. Boyle, Aye; Mr. Deller, Aye; Ms. White-Raymond, Aye; Mr. Sherlock, Aye; Mr. Murray, Aye; Ms. Conard-Wells, Aye; Mr. Hannon, Aye; Mr. Shawver, Aye; Mr. Flynn, Aye; and Mr. Daniels, Aye. The motion passed unanimously. As a result the Council, based on previously adopted findings, to repeal the existing State Guide Plan Element 640 dated March 1984 as amended; and approve the Draft State Guide Plan Element 640: the Rhode Island Airport Systems Plan, dated August 18, 2011 as amended.

5. **CEDS Certification: Proposed certification of Hope & Main Culinary Business Incubator Economic Development Administration grant proposal** – *for vote*

Mr. Griffith presented the CEDS Certification of EDA Grant Proposal, Hope & Main Culinary Business Incubator as documented in the agenda supplement. Mr. Griffith noted that Hope & Main were recently notified that the matching funds from HUD Community Development Block Grant (CDBG) in the amount of \$150,000 were not approved. Mr. Griffith introduced Ms. Lisa Raiola, CEO of Hope and Main and her advisor, Mr. Eric Busch. Mr. Busch explained that since the CDBG funding was not approved, Hope and Main will delay the submission of their application to the Economic Development Administration (EDA) for a few weeks. Mr. Busch indicated that once they update the sources of funding and appraise the donated equipment, they will submit the application to EDA. Mr. Flynn added that this new development does not change the staff's recommendation for approval. He then added that the Technical Committee reviewed the project and they too recommend approval.

Ms. White-Raymond asked Mr. Busch if Hope and Main had a sustainable five-year budget projection. In response, Mr. Busch said yes he can provide that information if necessary. Mr. Flynn reminded the Council that approving the certification will not commit any state funding; this will only allow Hope and Main to seek EDA approval for grant funding.

As there were no further questions, Mr. Deller moved to certify the application as CEDS eligible. Ms. Boyle seconded the motion. There was no further discussion and the motion passed unanimously.

6. **Rhode Island Water 2030: State Guide Plan Consolidation** – *for discussion*

Ms. Nancy Hess presented the draft Rhode Island Water 2030: State Guide Plan Consolidation as documented in the agenda supplement. Ms. Hess noted that the document is broken down into three parts:

- Part 1: Rhode Island's Potable Water Setting
- Part 2: Potable Water Issues Today
- Part 3: Assuring There's Water for Tomorrow

Next, Ms. Hess pointed out the edits made to the draft since her last presentation to the Council in June, 2011 as follows:

General Changes

- Made topical additions/edits to reflect comments
- All parts now begin with a "key points" box
- Added more graphics/pictures
- Summarized more text with bullets and text boxes as suggested
- Created appendices with text references
- Added Water Glossary

Part 1 Changes

- Added description of Drinking Water Surcharge program
- Added description of RI Clean Water Finance Agency (CWFA)
- Added 2010 drinking water facts
- Added description of Water Supply System Management Plan (WSSMP) review findings
- Updated private wells section
- Updated the Rhode Island Water Supply and Wellhead Protection Areas and Potable Water Source Figures

Part 2 Changes

- Updated precipitation stats & total estimated water use
- Expanded smart growth section within land use & sprawl
- Expanded small systems section
- Expanded economic / agriculture section
- Added comparison with neighboring state's water rates
- Expanded water supply in comprehensive plans section
- Refined climate change section with RI specific data from 2011 Watershed Counts report.

Part 3 Changes

- Completed future demand section

- Expanded description of Public Utilities Commission (PUC) role in rate setting
- Expanded water rate section
- Expanded water quality section re storm water impacts
- Added Department of Environmental Management (DEM) Low Impact Development (LID) Manual reference
- Added annual dry seasonal period in demand management, drought and emergency management
- Added to Drought section:
 - Definition of agricultural drought vs. hydrological drought
 - Sequence of drought impacts
 - Refined changing between drought phases
- Reinstated Emergency Management Goal under Water Resources Management
- Department of Health (DOH) helping with updating emergency management section
- Added future concluding section

Highlights of those items in which the State Planning Council engaged in discussion are as follows:

Mr. Murray asked if the average family size data was taken from the census report. In response, Ms. Hess said yes and that the figures were taken from a state-wide average. Mr. Murray noted that the figures have been declining over the last few census periods and that this trend should be factored. Ms. Hess explained that the statistics were taken as an average from American Fact Finder and if the figures change the necessary adjustments will be made.

Mr. Schaefer suggested adding Total Maximum Daily Load (TMDL) to the glossary. Ms. Hess said that she would add it to the glossary. Mr. Schaefer said these relate to the water quality issues within the suburban communities and he would like to put more emphasis on the pollutants within the report. Ms. Hess said that the Plan is not solely referencing TMDL; however, she said that she will ensure the distinction is made within the plan.

Mr. Daniels referred to the implementation matrix and asked if there was a concern of accountability for the lead agencies that are shared and then asked what the decision process consisted of. Ms. Hess said that may mean that there are more parties that share the responsibility such as linking a water supply management plan with a comprehensive plan; this depends on the ownership of the water supplier.

As there were no further questions, Ms. Hess explained that the final adoption process should take place by late winter.

7. Associate Director's Report

Mr. Flynn addressed the following items under the Associate Director's report:

- Status of HUD Sustainability Grant;
- Water Resources Board relocation to Division of Planning;
- Departmental performance management initiative;
- 2011 Challenge Grants due November 10, 2011 without extensions;

- Status of Wind Siting Guidelines
- Economic Development Agency 2010 flood recovery funds were received

Mr. Flynn then took a moment to thank everyone for their hard work on the Airport Systems Plan. He then thanked Mr. Rhodes for his active involvement throughout the process.

8. **Other Business**

Ms. Conard-Wells and Mr. Daniels both took a moment to echo Ms. Prager's and Mr. Flynn's comments on the achievements of the adopted Airport Systems Plan. She then acknowledged Mr. Rhodes for his hard work throughout the process.

Ms. Prager took a moment to congratulate Mr. Deller for receiving an achievement award from the University of Rhode Island.

9. **Adjourn**

There being no further discussion, Mr. Deller **moved** to adjourn. Ms. White-Raymond seconded the motion. The motion carried unanimously and the meeting adjourned at 10:41 A.M.

Respectfully Submitted,



Kevin Flynn
Associate Director